

As Reported by the House Health Committee

133rd General Assembly

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H. B. No. 436

Representative Baldrige

**Cosponsors: Representatives Sheehy, Rogers, Seitz, Jones, Blair, Strahorn,
Stephens, Clites, Lepore-Hagan, Liston, Russo, West**

A BILL

To amend sections 3301.079, 3314.03, 3323.11, 1
3326.11, and 3328.24; to enact new section 2
3323.25 and sections 3319.077, 3319.078, and 3
3323.251; and to repeal section 3323.25 of the 4
Revised Code with regard to screening and 5
intervention for children with dyslexia. 6

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 3301.079, 3314.03, 3323.11, 7
3326.11, and 3328.24 be amended and new section 3323.25 and 8
sections 3319.077, 3319.078, and 3323.251 of the Revised Code be 9
enacted to read as follows: 10

Sec. 3301.079. (A) (1) The state board of education 11
periodically shall adopt statewide academic standards with 12
emphasis on coherence, focus, and essential knowledge and that 13
are more challenging and demanding when compared to 14
international standards for each of grades kindergarten through 15
twelve in English language arts, mathematics, science, and 16
social studies. 17

(a) The state board shall ensure that the standards do all 18
of the following: 19

(i) Include the essential academic content and skills that 20
students are expected to know and be able to do at each grade 21
level that will allow each student to be prepared for 22
postsecondary instruction and the workplace for success in the 23
twenty-first century; 24

(ii) Include the development of skill sets that promote 25
information, media, and technological literacy; 26

(iii) Include interdisciplinary, project-based, real-world 27
learning opportunities; 28

(iv) Instill life-long learning by providing essential 29
knowledge and skills based in the liberal arts tradition, as 30
well as science, technology, engineering, mathematics, and 31
career-technical education; 32

(v) Be clearly written, transparent, and understandable by 33
parents, educators, and the general public. 34

(b) Not later than July 1, 2012, the state board shall 35
incorporate into the social studies standards for grades four to 36
twelve academic content regarding the original texts of the 37
Declaration of Independence, the Northwest Ordinance, the 38
Constitution of the United States and its amendments, with 39
emphasis on the Bill of Rights, and the Ohio Constitution, and 40
their original context. The state board shall revise the model 41
curricula and achievement assessments adopted under divisions 42
(B) and (C) of this section as necessary to reflect the 43
additional American history and American government content. The 44
state board shall make available a list of suggested grade- 45
appropriate supplemental readings that place the documents 46

prescribed by this division in their historical context, which 47
teachers may use as a resource to assist students in reading the 48
documents within that context. 49

(c) When the state board adopts or revises academic 50
content standards in social studies, American history, American 51
government, or science under division (A) (1) of this section, 52
the state board shall develop such standards independently and 53
not as part of a multistate consortium. 54

(2) After completing the standards required by division 55
(A) (1) of this section, the state board shall adopt standards 56
and model curricula for instruction in technology, financial 57
literacy and entrepreneurship, fine arts, and foreign language 58
for grades kindergarten through twelve. The standards shall meet 59
the same requirements prescribed in division (A) (1) (a) of this 60
section. 61

(3) The state board shall adopt the most recent standards 62
developed by the national association for sport and physical 63
education for physical education in grades kindergarten through 64
twelve or shall adopt its own standards for physical education 65
in those grades and revise and update them periodically. 66

The department of education shall employ a full-time 67
physical education coordinator to provide guidance and technical 68
assistance to districts, community schools, and STEM schools in 69
implementing the physical education standards adopted under this 70
division. The superintendent of public instruction shall 71
determine that the person employed as coordinator is qualified 72
for the position, as demonstrated by possessing an adequate 73
combination of education, license, and experience. 74

(4) Not later than December 31, 2018, the state board 75

shall adopt standards and a model curriculum for instruction in 76
computer science in grades kindergarten through twelve, which 77
shall include standards for introductory and advanced computer 78
science courses in grades nine through twelve. When developing 79
the standards and curriculum, the state board shall consider 80
recommendations from computer science education stakeholder 81
groups, including teachers and representatives from higher 82
education, industry, computer science organizations in Ohio, and 83
national computer science organizations. 84

Any district or school may utilize the computer science 85
standards or model curriculum or any part thereof adopted 86
pursuant to division (A) (4) of this section. However, no 87
district or school shall be required to utilize all or any part 88
of the standards or curriculum. 89

(5) When academic standards have been completed for any 90
subject area required by this section, the state board shall 91
inform all school districts, all community schools established 92
under Chapter 3314. of the Revised Code, all STEM schools 93
established under Chapter 3326. of the Revised Code, and all 94
nonpublic schools required to administer the assessments 95
prescribed by sections 3301.0710 and 3301.0712 of the Revised 96
Code of the content of those standards. Additionally, upon 97
completion of any academic standards under this section, the 98
department shall post those standards on the department's web 99
site. 100

(B) (1) The state board shall adopt a model curriculum for 101
instruction in each subject area for which updated academic 102
standards are required by division (A) (1) of this section and 103
for each of grades kindergarten through twelve that is 104
sufficient to meet the needs of students in every community. The 105

model curriculum shall be aligned with the standards, to ensure 106
that the academic content and skills specified for each grade 107
level are taught to students, and shall demonstrate vertical 108
articulation and emphasize coherence, focus, and rigor. When any 109
model curriculum has been completed, the state board shall 110
inform all school districts, community schools, and STEM schools 111
of the content of that model curriculum. 112

(2) Not later than June 30, 2013, the state board, in 113
consultation with any office housed in the governor's office 114
that deals with workforce development, shall adopt model 115
curricula for grades kindergarten through twelve that embed 116
career connection learning strategies into regular classroom 117
instruction. 118

(3) All school districts, community schools, and STEM 119
schools may utilize the state standards and the model curriculum 120
established by the state board, together with other relevant 121
resources, examples, or models to ensure that students have the 122
opportunity to attain the academic standards. Upon request, the 123
department shall provide technical assistance to any district, 124
community school, or STEM school in implementing the model 125
curriculum. 126

Nothing in this section requires any school district to 127
utilize all or any part of a model curriculum developed under 128
this section. 129

(C) The state board shall develop achievement assessments 130
aligned with the academic standards and model curriculum for 131
each of the subject areas and grade levels required by divisions 132
(A) (1) and (B) (1) of section 3301.0710 of the Revised Code. 133

When any achievement assessment has been completed, the 134

state board shall inform all school districts, community 135
schools, STEM schools, and nonpublic schools required to 136
administer the assessment of its completion, and the department 137
shall make the achievement assessment available to the districts 138
and schools. 139

(D) (1) The state board shall adopt a diagnostic assessment 140
aligned with the academic standards and model curriculum for 141
each of grades kindergarten through two in reading, writing, and 142
mathematics and for grade three in reading and writing. The 143
diagnostic assessment shall be designed to measure student 144
comprehension of academic content and mastery of related skills 145
for the relevant subject area and grade level. Any diagnostic 146
assessment shall not include components to identify gifted 147
students. Blank copies of diagnostic assessments shall be public 148
records. 149

(2) When each diagnostic assessment has been completed, 150
the state board shall inform all school districts of its 151
completion and the department shall make the diagnostic 152
assessment available to the districts at no cost to the 153
district. 154

(3) School districts shall administer the diagnostic 155
assessment pursuant to section 3301.0715 of the Revised Code 156
beginning the first school year following the development of the 157
assessment. 158

However, beginning with the 2017-2018 school year, both of 159
the following shall apply: 160

(a) In the case of the diagnostic assessments for grades 161
one or two in writing or mathematics or for grade three in 162
writing, a school district shall not be required to administer 163

any such assessment, but may do so at the discretion of the 164
district board; 165

(b) In the case of any diagnostic assessment that is not 166
for the grade levels and subject areas specified in division (D) 167
(3) (a) of this section, each school district shall administer 168
the assessment in the manner prescribed by section 3301.0715 of 169
the Revised Code. 170

(4) Beginning with the 2020-2021 school year, the 171
kindergarten diagnostic assessment in reading and writing 172
adopted under division (D) of this section shall align with the 173
academic standards adopted under division (E) (4) of section 174
3323.25 of the Revised Code. 175

(E) The state board shall not adopt a diagnostic or 176
achievement assessment for any grade level or subject area other 177
than those specified in this section. 178

(F) Whenever the state board or the department consults 179
with persons for the purpose of drafting or reviewing any 180
standards, diagnostic assessments, achievement assessments, or 181
model curriculum required under this section, the state board or 182
the department shall first consult with parents of students in 183
kindergarten through twelfth grade and with active Ohio 184
classroom teachers, other school personnel, and administrators 185
with expertise in the appropriate subject area. Whenever 186
practicable, the state board and department shall consult with 187
teachers recognized as outstanding in their fields. 188

If the department contracts with more than one outside 189
entity for the development of the achievement assessments 190
required by this section, the department shall ensure the 191
interchangeability of those assessments. 192

(G) Whenever the state board adopts standards or model 193
curricula under this section, the department also shall provide 194
information on the use of blended or digital learning in the 195
delivery of the standards or curricula to students in accordance 196
with division (A) (5) of this section. 197

(H) The fairness sensitivity review committee, established 198
by rule of the state board of education, shall not allow any 199
question on any achievement or diagnostic assessment developed 200
under this section or any proficiency test prescribed by former 201
section 3301.0710 of the Revised Code, as it existed prior to 202
September 11, 2001, to include, be written to promote, or 203
inquire as to individual moral or social values or beliefs. The 204
decision of the committee shall be final. This section does not 205
create a private cause of action. 206

(I) (1) (a) The English language arts academic standards 207
review committee is hereby created to review academic content 208
standards in the subject of English language arts. The committee 209
shall consist of the following members: 210

(i) Three experts who are residents of this state and who 211
primarily conduct research, provide instruction, currently work 212
in, or possess an advanced degree in the subject area. One 213
expert shall be appointed by each of the president of the 214
senate, the speaker of the house of representatives, and the 215
governor; 216

(ii) One parent or guardian appointed by the president of 217
the senate; 218

(iii) One educator who is currently teaching in a 219
classroom, appointed by the speaker of the house of 220
representatives; 221

(iv) The chancellor of the Ohio board of regents, or the 222
chancellor's designee; 223

(v) The state superintendent, or the superintendent's 224
designee, who shall serve as the chairperson of the committee. 225

(b) The mathematics academic standards review committee is 226
hereby created to review academic content standards in the 227
subject of mathematics. The committee shall consist of the 228
following members: 229

(i) Three experts who are residents of this state and who 230
primarily conduct research, provide instruction, currently work 231
in, or possess an advanced degree in the subject area. One 232
expert shall be appointed by each of the president of the 233
senate, the speaker of the house of representatives, and the 234
governor; 235

(ii) One parent or guardian appointed by the speaker of 236
the house of representatives; 237

(iii) One educator who is currently teaching in a 238
classroom, appointed by the president of the senate; 239

(iv) The chancellor, or the chancellor's designee; 240

(v) The state superintendent, or the superintendent's 241
designee, who shall serve as the chairperson of the committee. 242

(c) The science academic standards review committee is 243
hereby created to review academic content standards in the 244
subject of science. The committee shall consist of the following 245
members: 246

(i) Three experts who are residents of this state and who 247
primarily conduct research, provide instruction, currently work 248
in, or possess an advanced degree in the subject area. One 249

expert shall be appointed by each of the president of the 250
senate, the speaker of the house of representatives, and the 251
governor; 252

(ii) One parent or guardian appointed by the president of 253
the senate; 254

(iii) One educator who is currently teaching in a 255
classroom, appointed by the speaker of the house of 256
representatives; 257

(iv) The chancellor, or the chancellor's designee; 258

(v) The state superintendent, or the superintendent's 259
designee, who shall serve as the chairperson of the committee. 260

(d) The social studies academic standards review committee 261
is hereby created to review academic content standards in the 262
subject of social studies. The committee shall consist of the 263
following members: 264

(i) Three experts who are residents of this state and who 265
primarily conduct research, provide instruction, currently work 266
in, or possess an advanced degree in the subject area. One 267
expert shall be appointed by each of the president of the 268
senate, the speaker of the house of representatives, and the 269
governor; 270

(ii) One parent or guardian appointed by the speaker of 271
the house of representatives; 272

(iii) One educator who is currently teaching in a 273
classroom, appointed by the president of the senate; 274

(iv) The chancellor, or the chancellor's designee; 275

(v) The state superintendent, or the superintendent's 276

designee, who shall serve as the chairperson of the committee. 277

(2) (a) Each committee created in division (I) (1) of this 278
section shall review the academic content standards for its 279
respective subject area to ensure that such standards are clear, 280
concise, and appropriate for each grade level and promote higher 281
student performance, learning, subject matter comprehension, and 282
improved student achievement. Each committee also shall review 283
whether the standards for its respective subject area promote 284
essential knowledge in the subject, lifelong learning, the 285
liberal arts tradition, and college and career readiness and 286
whether the standards reduce remediation. 287

(b) Each committee shall determine whether the assessments 288
submitted to that committee under division (I) (4) of this 289
section are appropriate for the committee's respective subject 290
area and meet the academic content standards adopted under this 291
section and community expectations. 292

(3) The department of education shall provide 293
administrative support for each committee created in division 294
(I) (1) of this section. Members of each committee shall be 295
reimbursed for reasonable and necessary expenses related to the 296
operations of the committee. Members of each committee shall 297
serve at the pleasure of the appointing authority. 298

(4) Notwithstanding anything to the contrary in division 299
(O) of section 3301.0711 of the Revised Code, the department 300
shall submit to the appropriate committee created under division 301
(I) (1) of this section copies of the questions and corresponding 302
answers on the relevant assessments required by section 303
3301.0710 of the Revised Code on the first day of July following 304
the school year that the assessments were administered. The 305
department shall provide each committee with the entire content 306

of each relevant assessment, including corresponding answers. 307

The assessments received by the committees are not public 308
records of the committees and are not subject to release by the 309
committees to any other person or entity under section 149.43 of 310
the Revised Code. However, the assessments shall become public 311
records in accordance with division (O) of section 3301.0711 of 312
the Revised Code. 313

(J) Not later than sixty days prior to the adoption by the 314
state board of updated academic standards under division (A) (1) 315
of this section or updated model curricula under division (B) (1) 316
of this section, the superintendent of public instruction shall 317
present the academic standards or model curricula, as 318
applicable, in person at a public hearing of the respective 319
committees of the house of representatives and senate that 320
consider education legislation. 321

(K) As used in this section: 322

(1) "Blended learning" means the delivery of instruction 323
in a combination of time in a supervised physical location away 324
from home and online delivery whereby the student has some 325
element of control over time, place, path, or pace of learning. 326

(2) "Coherence" means a reflection of the structure of the 327
discipline being taught. 328

(3) "Digital learning" means learning facilitated by 329
technology that gives students some element of control over 330
time, place, path, or pace of learning. 331

(4) "Focus" means limiting the number of items included in 332
a curriculum to allow for deeper exploration of the subject 333
matter. 334

(5) "Vertical articulation" means key academic concepts 335
and skills associated with mastery in particular content areas 336
should be articulated and reinforced in a developmentally 337
appropriate manner at each grade level so that over time 338
students acquire a depth of knowledge and understanding in the 339
core academic disciplines. 340

Sec. 3314.03. A copy of every contract entered into under 341
this section shall be filed with the superintendent of public 342
instruction. The department of education shall make available on 343
its web site a copy of every approved, executed contract filed 344
with the superintendent under this section. 345

(A) Each contract entered into between a sponsor and the 346
governing authority of a community school shall specify the 347
following: 348

(1) That the school shall be established as either of the 349
following: 350

(a) A nonprofit corporation established under Chapter 351
1702. of the Revised Code, if established prior to April 8, 352
2003; 353

(b) A public benefit corporation established under Chapter 354
1702. of the Revised Code, if established after April 8, 2003. 355

(2) The education program of the school, including the 356
school's mission, the characteristics of the students the school 357
is expected to attract, the ages and grades of students, and the 358
focus of the curriculum; 359

(3) The academic goals to be achieved and the method of 360
measurement that will be used to determine progress toward those 361
goals, which shall include the statewide achievement 362
assessments; 363

(4) Performance standards, including but not limited to 364
all applicable report card measures set forth in section 3302.03 365
or 3314.017 of the Revised Code, by which the success of the 366
school will be evaluated by the sponsor; 367

(5) The admission standards of section 3314.06 of the 368
Revised Code and, if applicable, section 3314.061 of the Revised 369
Code; 370

(6) (a) Dismissal procedures; 371

(b) A requirement that the governing authority adopt an 372
attendance policy that includes a procedure for automatically 373
withdrawing a student from the school if the student without a 374
legitimate excuse fails to participate in seventy-two 375
consecutive hours of the learning opportunities offered to the 376
student. 377

(7) The ways by which the school will achieve racial and 378
ethnic balance reflective of the community it serves; 379

(8) Requirements for financial audits by the auditor of 380
state. The contract shall require financial records of the 381
school to be maintained in the same manner as are financial 382
records of school districts, pursuant to rules of the auditor of 383
state. Audits shall be conducted in accordance with section 384
117.10 of the Revised Code. 385

(9) An addendum to the contract outlining the facilities 386
to be used that contains at least the following information: 387

(a) A detailed description of each facility used for 388
instructional purposes; 389

(b) The annual costs associated with leasing each facility 390
that are paid by or on behalf of the school; 391

(c) The annual mortgage principal and interest payments 392
that are paid by the school; 393

(d) The name of the lender or landlord, identified as 394
such, and the lender's or landlord's relationship to the 395
operator, if any. 396

(10) Qualifications of teachers, including a requirement 397
that the school's classroom teachers be licensed in accordance 398
with sections 3319.22 to 3319.31 of the Revised Code, except 399
that a community school may engage noncertificated persons to 400
teach up to twelve hours per week pursuant to section 3319.301 401
of the Revised Code. 402

(11) That the school will comply with the following 403
requirements: 404

(a) The school will provide learning opportunities to a 405
minimum of twenty-five students for a minimum of nine hundred 406
twenty hours per school year. 407

(b) The governing authority will purchase liability 408
insurance, or otherwise provide for the potential liability of 409
the school. 410

(c) The school will be nonsectarian in its programs, 411
admission policies, employment practices, and all other 412
operations, and will not be operated by a sectarian school or 413
religious institution. 414

(d) The school will comply with sections 9.90, 9.91, 415
109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 416
3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.948, 3313.472, 417
3313.50, 3313.536, 3313.539, 3313.5310, 3313.608, 3313.609, 418
3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020, 419
3313.6024, 3313.643, 3313.648, 3313.6411, 3313.66, 3313.661, 420

3313.662, 3313.666, 3313.667, 3313.668, 3313.67, 3313.671, 421
3313.672, 3313.673, 3313.69, 3313.71, 3313.716, 3313.718, 422
3313.719, 3313.7112, 3313.721, 3313.80, 3313.814, 3313.816, 423
3313.817, 3313.818, 3313.86, 3313.89, 3313.96, 3319.073, 424
3319.077, 3319.078, 3319.321, 3319.39, 3319.391, 3319.41, 425
3319.46, 3321.01, 3321.041, 3321.13, 3321.14, 3321.141, 3321.17, 426
3321.18, 3321.19, 3321.191, 3323.251, 3327.10, 4111.17, 4113.52, 427
and 5705.391 and Chapters 117., 1347., 2744., 3365., 3742., 428
4112., 4123., 4141., and 4167. of the Revised Code as if it were 429
a school district and will comply with section 3301.0714 of the 430
Revised Code in the manner specified in section 3314.17 of the 431
Revised Code. 432

(e) The school shall comply with Chapter 102. and section 433
2921.42 of the Revised Code. 434

(f) The school will comply with sections 3313.61, 435
3313.611, 3313.614, 3313.617, 3313.618, and 3313.6114 of the 436
Revised Code, except that for students who enter ninth grade for 437
the first time before July 1, 2010, the requirement in sections 438
3313.61 and 3313.611 of the Revised Code that a person must 439
successfully complete the curriculum in any high school prior to 440
receiving a high school diploma may be met by completing the 441
curriculum adopted by the governing authority of the community 442
school rather than the curriculum specified in Title XXXIII of 443
the Revised Code or any rules of the state board of education. 444
Beginning with students who enter ninth grade for the first time 445
on or after July 1, 2010, the requirement in sections 3313.61 446
and 3313.611 of the Revised Code that a person must successfully 447
complete the curriculum of a high school prior to receiving a 448
high school diploma shall be met by completing the requirements 449
prescribed in division (C) of section 3313.603 of the Revised 450
Code, unless the person qualifies under division (D) or (F) of 451

that section. Each school shall comply with the plan for 452
awarding high school credit based on demonstration of subject 453
area competency, and beginning with the 2017-2018 school year, 454
with the updated plan that permits students enrolled in seventh 455
and eighth grade to meet curriculum requirements based on 456
subject area competency adopted by the state board of education 457
under divisions (J) (1) and (2) of section 3313.603 of the 458
Revised Code. Beginning with the 2018-2019 school year, the 459
school shall comply with the framework for granting units of 460
high school credit to students who demonstrate subject area 461
competency through work-based learning experiences, internships, 462
or cooperative education developed by the department under 463
division (J) (3) of section 3313.603 of the Revised Code. 464

(g) The school governing authority will submit within four 465
months after the end of each school year a report of its 466
activities and progress in meeting the goals and standards of 467
divisions (A) (3) and (4) of this section and its financial 468
status to the sponsor and the parents of all students enrolled 469
in the school. 470

(h) The school, unless it is an internet- or computer- 471
based community school, will comply with section 3313.801 of the 472
Revised Code as if it were a school district. 473

(i) If the school is the recipient of moneys from a grant 474
awarded under the federal race to the top program, Division (A), 475
Title XIV, Sections 14005 and 14006 of the "American Recovery 476
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 477
the school will pay teachers based upon performance in 478
accordance with section 3317.141 and will comply with section 479
3319.111 of the Revised Code as if it were a school district. 480

(j) If the school operates a preschool program that is 481

licensed by the department of education under sections 3301.52 482
to 3301.59 of the Revised Code, the school shall comply with 483
sections 3301.50 to 3301.59 of the Revised Code and the minimum 484
standards for preschool programs prescribed in rules adopted by 485
the state board under section 3301.53 of the Revised Code. 486

(k) The school will comply with sections 3313.6021 and 487
3313.6023 of the Revised Code as if it were a school district 488
unless it is either of the following: 489

(i) An internet- or computer-based community school; 490

(ii) A community school in which a majority of the 491
enrolled students are children with disabilities as described in 492
division (A) (4) (b) of section 3314.35 of the Revised Code. 493

(12) Arrangements for providing health and other benefits 494
to employees; 495

(13) The length of the contract, which shall begin at the 496
beginning of an academic year. No contract shall exceed five 497
years unless such contract has been renewed pursuant to division 498
(E) of this section. 499

(14) The governing authority of the school, which shall be 500
responsible for carrying out the provisions of the contract; 501

(15) A financial plan detailing an estimated school budget 502
for each year of the period of the contract and specifying the 503
total estimated per pupil expenditure amount for each such year. 504

(16) Requirements and procedures regarding the disposition 505
of employees of the school in the event the contract is 506
terminated or not renewed pursuant to section 3314.07 of the 507
Revised Code; 508

(17) Whether the school is to be created by converting all 509

or part of an existing public school or educational service 510
center building or is to be a new start-up school, and if it is 511
a converted public school or service center building, 512
specification of any duties or responsibilities of an employer 513
that the board of education or service center governing board 514
that operated the school or building before conversion is 515
delegating to the governing authority of the community school 516
with respect to all or any specified group of employees provided 517
the delegation is not prohibited by a collective bargaining 518
agreement applicable to such employees; 519

(18) Provisions establishing procedures for resolving 520
disputes or differences of opinion between the sponsor and the 521
governing authority of the community school; 522

(19) A provision requiring the governing authority to 523
adopt a policy regarding the admission of students who reside 524
outside the district in which the school is located. That policy 525
shall comply with the admissions procedures specified in 526
sections 3314.06 and 3314.061 of the Revised Code and, at the 527
sole discretion of the authority, shall do one of the following: 528

(a) Prohibit the enrollment of students who reside outside 529
the district in which the school is located; 530

(b) Permit the enrollment of students who reside in 531
districts adjacent to the district in which the school is 532
located; 533

(c) Permit the enrollment of students who reside in any 534
other district in the state. 535

(20) A provision recognizing the authority of the 536
department of education to take over the sponsorship of the 537
school in accordance with the provisions of division (C) of 538

section 3314.015 of the Revised Code; 539

(21) A provision recognizing the sponsor's authority to 540
assume the operation of a school under the conditions specified 541
in division (B) of section 3314.073 of the Revised Code; 542

(22) A provision recognizing both of the following: 543

(a) The authority of public health and safety officials to 544
inspect the facilities of the school and to order the facilities 545
closed if those officials find that the facilities are not in 546
compliance with health and safety laws and regulations; 547

(b) The authority of the department of education as the 548
community school oversight body to suspend the operation of the 549
school under section 3314.072 of the Revised Code if the 550
department has evidence of conditions or violations of law at 551
the school that pose an imminent danger to the health and safety 552
of the school's students and employees and the sponsor refuses 553
to take such action. 554

(23) A description of the learning opportunities that will 555
be offered to students including both classroom-based and non- 556
classroom-based learning opportunities that is in compliance 557
with criteria for student participation established by the 558
department under division (H) (2) of section 3314.08 of the 559
Revised Code; 560

(24) The school will comply with sections 3302.04 and 561
3302.041 of the Revised Code, except that any action required to 562
be taken by a school district pursuant to those sections shall 563
be taken by the sponsor of the school. However, the sponsor 564
shall not be required to take any action described in division 565
(F) of section 3302.04 of the Revised Code. 566

(25) Beginning in the 2006-2007 school year, the school 567

will open for operation not later than the thirtieth day of 568
September each school year, unless the mission of the school as 569
specified under division (A) (2) of this section is solely to 570
serve dropouts. In its initial year of operation, if the school 571
fails to open by the thirtieth day of September, or within one 572
year after the adoption of the contract pursuant to division (D) 573
of section 3314.02 of the Revised Code if the mission of the 574
school is solely to serve dropouts, the contract shall be void. 575

(26) Whether the school's governing authority is planning 576
to seek designation for the school as a STEM school equivalent 577
under section 3326.032 of the Revised Code; 578

(27) That the school's attendance and participation 579
policies will be available for public inspection; 580

(28) That the school's attendance and participation 581
records shall be made available to the department of education, 582
auditor of state, and school's sponsor to the extent permitted 583
under and in accordance with the "Family Educational Rights and 584
Privacy Act of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, 585
and any regulations promulgated under that act, and section 586
3319.321 of the Revised Code; 587

(29) If a school operates using the blended learning 588
model, as defined in section 3301.079 of the Revised Code, all 589
of the following information: 590

(a) An indication of what blended learning model or models 591
will be used; 592

(b) A description of how student instructional needs will 593
be determined and documented; 594

(c) The method to be used for determining competency, 595
granting credit, and promoting students to a higher grade level; 596

(d) The school's attendance requirements, including how 597
the school will document participation in learning 598
opportunities; 599

(e) A statement describing how student progress will be 600
monitored; 601

(f) A statement describing how private student data will 602
be protected; 603

(g) A description of the professional development 604
activities that will be offered to teachers. 605

(30) A provision requiring that all moneys the school's 606
operator loans to the school, including facilities loans or cash 607
flow assistance, must be accounted for, documented, and bear 608
interest at a fair market rate; 609

(31) A provision requiring that, if the governing 610
authority contracts with an attorney, accountant, or entity 611
specializing in audits, the attorney, accountant, or entity 612
shall be independent from the operator with which the school has 613
contracted. 614

(32) A provision requiring the governing authority to 615
adopt an enrollment and attendance policy that requires a 616
student's parent to notify the community school in which the 617
student is enrolled when there is a change in the location of 618
the parent's or student's primary residence. 619

(33) A provision requiring the governing authority to 620
adopt a student residence and address verification policy for 621
students enrolling in or attending the school. 622

(B) The community school shall also submit to the sponsor 623
a comprehensive plan for the school. The plan shall specify the 624

following: 625

(1) The process by which the governing authority of the 626
school will be selected in the future; 627

(2) The management and administration of the school; 628

(3) If the community school is a currently existing public 629
school or educational service center building, alternative 630
arrangements for current public school students who choose not 631
to attend the converted school and for teachers who choose not 632
to teach in the school or building after conversion; 633

(4) The instructional program and educational philosophy 634
of the school; 635

(5) Internal financial controls. 636

When submitting the plan under this division, the school 637
shall also submit copies of all policies and procedures 638
regarding internal financial controls adopted by the governing 639
authority of the school. 640

(C) A contract entered into under section 3314.02 of the 641
Revised Code between a sponsor and the governing authority of a 642
community school may provide for the community school governing 643
authority to make payments to the sponsor, which is hereby 644
authorized to receive such payments as set forth in the contract 645
between the governing authority and the sponsor. The total 646
amount of such payments for monitoring, oversight, and technical 647
assistance of the school shall not exceed three per cent of the 648
total amount of payments for operating expenses that the school 649
receives from the state. 650

(D) The contract shall specify the duties of the sponsor 651
which shall be in accordance with the written agreement entered 652

into with the department of education under division (B) of 653
section 3314.015 of the Revised Code and shall include the 654
following: 655

(1) Monitor the community school's compliance with all 656
laws applicable to the school and with the terms of the 657
contract; 658

(2) Monitor and evaluate the academic and fiscal 659
performance and the organization and operation of the community 660
school on at least an annual basis; 661

(3) Report on an annual basis the results of the 662
evaluation conducted under division (D) (2) of this section to 663
the department of education and to the parents of students 664
enrolled in the community school; 665

(4) Provide technical assistance to the community school 666
in complying with laws applicable to the school and terms of the 667
contract; 668

(5) Take steps to intervene in the school's operation to 669
correct problems in the school's overall performance, declare 670
the school to be on probationary status pursuant to section 671
3314.073 of the Revised Code, suspend the operation of the 672
school pursuant to section 3314.072 of the Revised Code, or 673
terminate the contract of the school pursuant to section 3314.07 674
of the Revised Code as determined necessary by the sponsor; 675

(6) Have in place a plan of action to be undertaken in the 676
event the community school experiences financial difficulties or 677
closes prior to the end of a school year. 678

(E) Upon the expiration of a contract entered into under 679
this section, the sponsor of a community school may, with the 680
approval of the governing authority of the school, renew that 681

contract for a period of time determined by the sponsor, but not 682
ending earlier than the end of any school year, if the sponsor 683
finds that the school's compliance with applicable laws and 684
terms of the contract and the school's progress in meeting the 685
academic goals prescribed in the contract have been 686
satisfactory. Any contract that is renewed under this division 687
remains subject to the provisions of sections 3314.07, 3314.072, 688
and 3314.073 of the Revised Code. 689

(F) If a community school fails to open for operation 690
within one year after the contract entered into under this 691
section is adopted pursuant to division (D) of section 3314.02 692
of the Revised Code or permanently closes prior to the 693
expiration of the contract, the contract shall be void and the 694
school shall not enter into a contract with any other sponsor. A 695
school shall not be considered permanently closed because the 696
operations of the school have been suspended pursuant to section 697
3314.072 of the Revised Code. 698

Sec. 3319.077. (A) As used in this section: 699

(1) "Dyslexia" has the same meaning as in section 3323.25 700
of the Revised Code. 701

(2) "Ohio dyslexia committee" means the committee 702
established under section 3325.25 of the Revised Code. 703

(3) "Special education" has the same meaning as in section 704
3323.01 of the Revised Code. 705

(B)(1) The department of education, in collaboration with 706
the Ohio dyslexia committee, shall maintain a list of courses 707
that fulfill the professional development requirements 708
prescribed in division (C) of this section. The list may consist 709
of online or classroom learning models. 710

(2) Each approved course shall align with the guidebook 711
developed under division (D) of section 3323.25 of the Revised 712
Code, be evidence-based, and require instruction and training 713
for identifying characteristics of dyslexia and understanding 714
the pedagogy for instructing students with dyslexia. 715

(3) Completion of a total of at least eighteen clock hours 716
of instruction in approved courses under division (B) of this 717
section shall satisfy the professional development requirements 718
prescribed in division (C) of this section. 719

(C)(1) Not later than the beginning of the 2020-2021 720
school year, each teacher employed by a local, city, or exempted 721
village school district who provides instruction for students in 722
kindergarten and first grade, including those providing special 723
education instruction, shall complete a professional development 724
course approved under division (B) of this section. 725

(2) Not later than the beginning of the 2021-2022 school 726
year, each teacher employed by a school district who provides 727
instruction for students in grades two and three, including 728
those providing special education instruction, shall complete a 729
professional development course approved under division (B) of 730
this section. 731

(3) Not later than the beginning of the 2020-2021 school 732
year, each teacher employed by a school district who provides 733
special education instruction for students in grades four 734
through twelve shall complete a professional development course 735
approved under division (B) of this section. 736

Sec. 3319.078. (A) Beginning in the 2020-2021 school year, 737
each city, local, and exempted village school district shall 738
establish a structured literacy certification process for 739

teachers providing instruction for students in grades 740
kindergarten through three employed by the district. Each 741
process shall align with the guidebook developed under division 742
(D) of section 3323.25 of the Revised Code and shall require 743
completion of a practicum. 744

(B) (1) Not later than the end of the 2022-2023 school 745
year, each district shall have at least one teacher certified 746
under the structured literacy process per every two hundred 747
students in grades kindergarten through three. 748

(2) Not later than the end of the 2023-2024 school year, 749
each district shall have at least one teacher certified under 750
the structured literacy process per every one hundred fifty 751
students in grades kindergarten through three. 752

(3) Not later than the end of the 2024-2025 school year, 753
each district shall have at least one teacher certified under 754
the structured literacy process per every one hundred students 755
in grades kindergarten through three. 756

Sec. 3323.11. Each school district shall employ, as 757
necessary, the personnel to meet the needs of the children with 758
disabilities enrolled in its schools. Personnel shall possess 759
appropriate qualifications and certificates or licenses as 760
prescribed in section 3319.077 of the Revised Code and in rules 761
of the state board of education. 762

Sec. 3323.25. (A) As used in this section and section 763
3323.251 of the Revised Code: 764

(1) "Dyslexia" means a specific learning disorder that is 765
neurological in origin and that is characterized by unexpected 766
difficulties with accurate or fluent word recognition and by 767
poor spelling and decoding abilities not consistent with the 768

person's intelligence, motivation, and sensory capabilities, 769
which difficulties typically result from a deficit in the 770
phonological component of language. 771

(2) "Other public school" has the same meaning as in 772
section 3301.0711 of the Revised Code. 773

(B) The department of education, in collaboration with the 774
international dyslexia association in Ohio, shall establish the 775
Ohio dyslexia committee. 776

(C) The committee shall consist of the following members: 777

(1) Three members appointed by the international dyslexia 778
association in Ohio; 779

(2) Three members appointed by the department. Each member 780
appointed by the department shall be employed by any of the 781
following: 782

(a) The department; 783

(b) A school district; 784

(c) An educational service center. 785

All appointments to the committee shall be made not later 786
than January 31, 2020. Members of the committee shall serve at 787
the pleasure of their appointing authority. The members of the 788
committee shall elect one of the members as chairperson. 789

(D) Not later than June 30, 2020, the department, in 790
collaboration with the committee established under this section, 791
shall develop a guidebook regarding the best practices and 792
methods for universal screening, intervention, and remediation 793
for children with dyslexia or children displaying dyslexic 794
characteristics and tendencies using a structured literacy 795

program. After the initial development of the guidebook, the 796
department, in collaboration with the committee established 797
under this section, shall update the guidebook as necessary. The 798
guidebook shall include all of the following: 799

(1) A list of the screening and intervention measures 800
identified under division (F) of this section; 801

(2) A method for determining if a student is at risk of 802
dyslexia based on the student's performance on a tier one 803
screening measure; 804

(3) A method for determining if a student identified as at 805
risk of dyslexia is making significant progress in attaining 806
grade-level reading and writing skills prior to the 807
administration of a tier two screening measure; 808

(4) Criteria for a multidisciplinary team established by a 809
district or school under section 3323.251 of the Revised Code to 810
administer screening and intervention measures and analyze the 811
results of the measures. The criteria shall include specific 812
criteria for a stakeholder with expertise in the identification, 813
intervention, and remediation of dyslexia; 814

(5) Reporting timelines and requirements regarding the 815
information and data that a district or school shall submit to 816
the department regarding dyslexia screening, intervention, and 817
remediation, including for the purposes of this section and 818
section 3323.251 of the Revised Code. The requirements shall at 819
least include submitting the data described in division (F) of 820
this section. Additionally, the guidebook shall require, 821
depending on grade level, the submission of data by a district 822
or school to the department up to three times a year. 823

(6) Standards for structured literacy program professional 824

development for teachers, which shall include requiring the 825
completion of a practicum; 826

(7) Standards for a structured literacy certification 827
process for teachers providing instruction in grades 828
kindergarten through three, which shall include requiring the 829
completion of a practicum. 830

(E) Not later than June 30, 2020, the department, in 831
collaboration with the committee established under this section, 832
shall do all of the following: 833

(1) Provide structured literacy program professional 834
development for teachers in evidence-based dyslexia screening 835
and intervention practices for the purposes of section 3319.077 836
of the Revised Code. The professional development shall include 837
a practicum. 838

(2) Assist school districts and other public schools in 839
establishing multidisciplinary teams to support the 840
identification, intervention, and remediation of dyslexia; 841

(3) Develop reporting mechanisms for districts and schools 842
to submit to the department the information and data required in 843
the guidebook developed under division (D) of this section; 844

(4) Develop academic standards for kindergarten in reading 845
and writing that incorporate a structured literacy program. 846

(F) The department, in collaboration with the committee 847
established under this section, shall identify reliable, 848
universal, and evidence-based screening and intervention 849
measures that evaluate the literacy skills of students enrolled 850
in grades kindergarten through five using a structured literacy 851
program. The identified measures shall include all of the 852
following: 853

(1) Tier one screening measures for students enrolled in 854
kindergarten, which shall allow for the collection of data using 855
all of the following metrics: 856

(a) Letter naming fluency, which shall include three 857
benchmarks; 858

(b) Alphabetic principle and letter sound, which shall 859
include three benchmarks; 860

(c) Phonological and phonemic awareness, which shall 861
include three benchmarks; 862

(d) Speech and language, which shall include one 863
benchmark; 864

(e) A method for indicating whether a student's family has 865
a documented history of dyslexia or reading disability. 866

(2) Tier one screening measures for students enrolled in 867
grade one, which shall allow for the collection of data using 868
all of the following metrics: 869

(a) Alphabetic principle and nonsense word reading, which 870
shall include three benchmarks; 871

(b) Phonological and phonemic awareness, which shall 872
include three benchmarks; 873

(c) Word identification; 874

(d) Oral reading fluency, which shall include two 875
benchmarks each for fluency and accuracy. 876

(3) Tier one screening measures for students enrolled in 877
grade two, which shall allow for the collection of data using 878
all of the following metrics: 879

(a) Word identification, which shall include one 880

benchmark; 881

(b) Oral reading fluency, which shall include three 882
benchmarks; 883

(c) Reading comprehension, which shall include three 884
benchmarks. 885

(4) Tier one screening measures for students enrolled in 886
each of grades kindergarten through five, which shall allow for 887
the collection of data using both of the following metrics: 888

(a) Oral reading fluency, which shall include three 889
benchmarks each for fluency and accuracy; 890

(b) Reading comprehension, which shall include three 891
benchmarks. 892

(5) Tier two screening measures for students enrolled in 893
each of grades kindergarten through five that determine if a 894
student demonstrates the markers of dyslexia. For grades one 895
through five, each tier two screening measure shall include all 896
of the following: 897

(a) A method for indicating any familial history of 898
reading difficulties, spelling difficulties, or attention- 899
deficit hyperactivity disorder, each of which shall be included 900
as a separate benchmark; 901

(b) A method for indicating if a student has a history of 902
speech and language difficulties, which shall include three 903
benchmarks; 904

(c) Norm-referenced, standardized, and age-appropriate 905
diagnostic assessments for each of grades one through five that 906
evaluate, and allow for the collection of data regarding, all of 907
the following: 908

(i) Phonological and phonemic awareness, which shall 909
include three benchmarks; 910

(ii) Phonological memory, which shall include three 911
benchmarks; 912

(iii) Rapid automatic naming, which shall include three 913
benchmarks. 914

(d) For students enrolled in each of grades two and three, 915
listening comprehension. Listening comprehension shall include 916
three benchmarks. 917

Sec. 3323.251. (A) Beginning in the 2020-2021 school year, 918
each school district and other public school shall do all of the 919
following: 920

(1) Administer a tier one dyslexia screening measure to 921
each student enrolled in any of grades kindergarten through five 922
by the thirtieth day of October of each school year. 923
Additionally, a district or school may administer a tier two 924
screening measure to each student. In that case, a district or 925
school shall not be required to complete divisions (A) (4) and 926
(5) of this section. 927

(2) Report to a student's parent or guardian the student's 928
results on a tier one screening measure within sixty days of the 929
administration of the measure; 930

(3) Identify each student that is at risk of dyslexia 931
based on the student's results on the tier one screening 932
measure. 933

(4) Monitor the progress of each at-risk student toward 934
attaining grade-level reading and writing skills. The district 935
or school shall check each at-risk student's progress on at 936

least the second week, fourth week, and sixth week after the 937
student is identified as being at risk. 938

(5) If an at-risk student does not show significant 939
progress toward attaining grade-level reading and writing skills 940
by the sixth week after the student is identified as being at 941
risk, administer a tier two screening measure to the at-risk 942
student. 943

(6) Report to a student's parent or guardian the student's 944
results on a tier two screening measure within thirty days of 945
the measure's administration. If the student is determined to be 946
below the twentieth percentile on the tier two screening 947
measure, the student's parent or guardian shall be provided with 948
information about reading development, the risk factors for 949
dyslexia, and descriptions for evidenced-based interventions. 950

(7) If a student demonstrates markers for dyslexia, 951
provide the student's parents or guardian with a written 952
explanation of the district or school's structured literacy 953
program. 954

(B) Beginning in the 2020-2021 school year, each district 955
or school shall administer a tier one dyslexia screening measure 956
to each student that transfers into the district or school 957
midyear within thirty days of the student's enrollment. If the 958
student is identified as being at risk of dyslexia, the district 959
or school shall administer a tier two screening measure in a 960
timely manner. 961

(C) Each district or school shall do all of the following: 962

(1) Comply with the guidebook developed under division (D) 963
of section 3323.25 of the Revised Code; 964

(2) Select screening and intervention measures to 965

administer to students from the list included in the guidebook 966
adopted under division (D) of section 3323.25 of the Revised 967
Code; 968

(3) Establish a multidisciplinary team to administer 969
screening and intervention measures and analyze the results of 970
the measures. The team shall include trained and certified 971
personnel and a stakeholder with expertise in the 972
identification, intervention, and remediation of dyslexia. 973

(4) Report to the department of education the results of 974
screening measures administered under this section. 975

Sec. 3326.11. Each science, technology, engineering, and 976
mathematics school established under this chapter and its 977
governing body shall comply with sections 9.90, 9.91, 109.65, 978
121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 979
3301.0714, 3301.0715, 3301.0729, 3301.948, 3313.14, 3313.15, 980
3313.16, 3313.18, 3313.201, 3313.26, 3313.472, 3313.48, 981
3313.481, 3313.482, 3313.50, 3313.536, 3313.539, 3313.5310, 982
3313.608, 3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020, 983
3313.6021, 3313.6024, 3313.61, 3313.611, 3313.614, 3313.615, 984
3313.617, 3313.618, 3313.6114, 3313.643, 3313.648, 3313.6411, 985
3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 3313.668, 986
3313.67, 3313.671, 3313.672, 3313.673, 3313.69, 3313.71, 987
3313.716, 3313.718, 3313.719, 3313.7112, 3313.721, 3313.80, 988
3313.801, 3313.814, 3313.816, 3313.817, 3313.818, 3313.86, 989
3313.89, 3313.96, 3319.073, 3319.077, 3319.078, 3319.21, 990
3319.32, 3319.321, 3319.35, 3319.39, 3319.391, 3319.41, 3319.45, 991
3319.46, 3321.01, 3321.041, 3321.05, 3321.13, 3321.14, 3321.141, 992
3321.17, 3321.18, 3321.19, 3321.191, 3323.251, 3327.10, 4111.17, 993
4113.52, and 5705.391 and Chapters 102., 117., 1347., 2744., 994
3307., 3309., 3365., 3742., 4112., 4123., 4141., and 4167. of 995

the Revised Code as if it were a school district. 996

Sec. 3328.24. A college-preparatory boarding school 997
established under this chapter and its board of trustees shall 998
comply with sections 102.02, 3301.0710, 3301.0711, 3301.0712, 999
3301.0714, 3301.0729, 3301.948, 3313.536, 3313.6013, 3313.6021, 1000
3313.6024, 3313.617, 3313.618, 3313.6114, 3313.6411, 3313.668, 1001
3313.7112, 3313.721, 3313.89, 3319.077, 3319.078, 3319.39, 1002
3319.391, ~~and 3319.46,~~ and 3323.251 and Chapter 3365. of the 1003
Revised Code as if the school were a school district and the 1004
school's board of trustees were a district board of education. 1005

Section 2. That existing sections 3301.079, 3314.03, 1006
3323.11, 3326.11, and 3328.24 of the Revised Code are hereby 1007
repealed. 1008

Section 3. That section 3323.25 of the Revised Code is 1009
hereby repealed. 1010